

STATE OF MINNESOTA
COUNTY OF DAKOTA

DISTRICT COURT
FIRST JUDICIAL DISTRICT

State of Minnesota,

AFFIDAVIT OF COUNSEL IN SUPPORT
OF PRONG II *FRYE-MACK* HEARING

Plaintiff,

v.

Court File No. 19HA-CR-09-3463

Matthew David Jensen,

Defendant.

STATE OF MINNESOTA)
) ss.
COUNTY OF DAKOTA)

Lauri Traub, Assistant Public Defender, attorney for defendant Matthew David Jensen, being first duly sworn, states that:

1. I am appointed counsel for the defendant, Matthew David Jensen, and make this affidavit in support of defendant's Motion for a Prong II *Frye-Mack* hearing on the scientific reliability and admissibility of drug testing evidence the State proposes to offer from the St. Paul Police Department Crime Lab.

2. The St. Paul Police Department Crime Lab (hereinafter SPPDCL) is not an accredited lab, raising significant concern within our office regarding the reliability of their testing methods. As a result of this concern, Christine Funk of the Public Defender Statewide Trial Team and I requested a full copy of the file for a drug case tested by Kari McDermott, a criminalist with the SPPDCL

3. Upon receiving the file, Ms. Funk and I arranged a meeting with Ms.

McDermott at the SPPDCL on March 30, 2012. As a professional courtesy we invited Vance Grannis III, Assistant Dakota County Attorney to attend the meeting and he chose to attend.

4. Significant concerns were raised during this meeting, which Mr. Grannis is or should be aware of because he was present at the meeting and took several pages of notes. *See* Mr. Grannis' notes from March 30, 2012 attached as Exhibit A.

5. Among concerns raised which lead defense to believe a Prong II *Frye-Mack* hearing is appropriate are the lack of Standard Operating Procedures at the SPPDCL, a lack of continuing education and training related to the mission of drug testing among the criminalists and the lab director, a lack of documentation within the lab, including the use of solvents necessary for reliable testing, a lack of quality assurance reviews and corrective action reviews, a lack of proficiency testing of the analysts, the lack of validation studies and the basic lack of understanding of what a validation study is. *See* resumes of Kari McDermott, Roberta DeCrans, Jennifer Jannetto (criminalists) and Shay Shackle (lab director) attached as Exhibits B – E and email dated Friday, April 27, 2012 from Jennifer Jannetto to Vance Grannis outlining her belief of what a validation study is, attached as Exhibit F.

6. Concerns cited in Number 5 are recognized as appropriate lab protocol within the relevant scientific community and necessary for accreditation. *See, e.g.* <http://www.ascd-lab.org>.

7. Additionally the SPPDCL does not follow the *minimum* recommendations of the Scientific Working Group for the Analysis of Seized Drugs (hereinafter SWGDRUG). SWGDRUG is a core committee of more than 20 forensic scientists from

around the world. SWGDRUG's recommendations are *minimum* standards for the forensic examination of seized drugs. It was first established by the Drug Enforcement Administration (DEA) and the Office of National Drug Control Policy in 1997. Committee members include forensic scientists from throughout the world, representatives from the FBI, the DEA, the Army and Navy Criminal Laboratories, representatives from the United Nations, sheriff and police department crime laboratories throughout the United States and members of academia. They have developed educational and professional development recommendations for forensic practitioners, as well as quality assurance and identification recommendations for seized drugs. See <http://www.swgdrug.org>.

8. Defense counsel is concerned there are many more problems with the drug testing being conducted by the SPPDCL which will be raised at the hearing. Defense counsel cannot be more specific at this time, as since the meeting with Ms. McDermott the SPPDCL personnel have been unwilling to meet with us. Counsel for the State is aware of this issue.

9. Unlike the Minnesota Bureau of Criminal Apprehension (BCA), which is an accredited lab, the SPPDCL does not practice an open door policy. The scientists at the BCA will meet with defense counsel with or without counsel for the State present. Access to science at the BCA is equal. The SPPDCL will allow counsel for the State to meet with them and tour their lab, but will not extend the same courtesy to the defense bar.

10. The SPPDCL does not have a Laboratory Information Management System (LIMS) or any comparable method to document and disclose contact between the lab and

agents of the State, leading to significant concerns regarding full and fair disclosure in cases involving the SPPDCL.

11. Defendant therefore asks this Court to block this matter to an assigned judge and set it for a Prong II *Frye-Mack* hearing the week of July 16-20, 2012..

This affidavit is submitted in good faith and not for the purpose of delay or otherwise.

Date: _____

Lauri Traub, Atty. No. 297410
Assistant Public Defender
First Judicial District
919 Vermillion Street, Suite 200
Hastings, MN 55033

Subscribed and sworn before me
this ____ day of _____ 2011.

Notary Public

Notes from March 30th, 2012 1:00 p.m. meeting at Saint Paul Police Department Conference Room. Present: Kari McDermott, Lauri Traub, Christine Funk, Chip Grannis

Kari was not sure if the bar code was put on the evidence by the DCDTF before or after it was tested by the crime lab. I told them my understanding was the bar code was put on right away by Ron Gjorvad, so it would be on before it is tested by the crime lab.

When the evidence is received for testing by the crime lab it is put in a bin in the locked vault. Each bin is not locked or secured, just the vault that it is put in.

Eight people in the crime lab have access to the vault.

The evidence is assigned a crime lab number in addition to the law enforcement number.

No margin of error is taken into account when weighing the drugs. Scales are tested weekly with a known weight. Could be 0.660 or 0.669 and both would be recorded as 0.66

Methanol and Methane Chloride are the solvents for the GCMS.

St. Paul Lab currently usually uses .50 milliliter of solvent for the GCMS test.

A new pipet is used for each test.

The crime lab does not test a pipet to determine how much solvent it is sucking up. They do not make sure that the pipet is only sucking up .50 milliliter.

Exhibit A

Kari was originally trained to do the GCMS test with a full milliliter of solvent. She and Roberta DeCrans decided to change to .50 milliliter of solvent.

Kari does not know what effect it would have on the test result if the pipet sucked up more or less than .50 milliliters of the solvent.

The crime lab does not keep track of who made the solvent and when. That information is only marked on the solvent bottle. When the empty bottle is thrown away, that information is thrown away with it.

No record is kept of whether the solvent is expired or not.

Kari can't say in this case for sure if she looked or not. Has no independent recollection of checking.

Saint Paul Crime Lab does not let defense attorneys into the crime lab. Not equal access.

They put the lab number on the test tube when they put the test tube into the GCMS machine. They record which "spot" the lab number is put in.

One sample takes about ½ hour to test.

Kari thinks that it is better to be accredited than not.

Saint Paul Crime Lab is not accredited. Not sure if one time problem or systemic problem.

Christine and Lauri want Shay Shackle's resume. Kari will get that for them. Shay is in charge of the crime lab.

With the GCMS you get 10 choices from the computer to compare the test result to. The best match is picked out manually.

Christine and Lauri want a copy of the manual on how to operate the GCMS. Kari will get that for them.

Roberta DeCrans runs the test on the GCMS machine each morning- usually. Roberta starts work before Kari does.

John Coska sp? comes out and looks at the GCMS machine every 6 months.

Kari is not sure where the threshold is for the machine working correctly.

There is nothing on the test result document to determine who ran the test on the GCMS machine in the morning.

Drug B is a computer program that determines the test.

Christine and Lauri want the calibration records of the GCMS machine. Kari will get.

Christine and Lauri want the validation studies of the Saint Paul P.D. Crime Lab. Kari will get them if they exist. Kari has never seen any validation studies. This horrifies her.

Kari will find out when the GCMS was last calibrated and provide that information.

In Behan case the solvent was run on 09/19/2011 and our test was run on 09/21/2011.

The Saint Paul Crime Lab does not run the solvent every day. That is why Kari put the sample prior to this test in the materials she provided to show that it was not methamphetamine.

Kari and Bobbie decided to go to .50 milliliters of solvent instead of a full milliliter.

Kari is not sure if Shay Shackle knows that they changed from a full milliliter of solvent to ½ a milliliter of solvent.

Lauri Traub said SWIG says they should have 20 hours of training each year on what you do-drug testing.

Kari has not attended 20 hours of training each year. She tries to attend free trainings and they are hard to find.

Kari does not talk to people at the BCA who do drug testing.

Kari did not know what SWIG drug is.

Kari does not believe that they have a lab code of conduct.

Issues Christine and Lauri see:

1. Lack of accreditation-no validation studies-huge deal
2. No Code of Conduct
3. No documentation of expired reagents
4. No validation studies
5. No quality procedures.

Cops don't understand how science works.

Kari does not understand why defense attorneys have not attacked like this before.

Where do we go from here?

Christine and Lauri are going to make a list of all the information they want and send it directly to Kari and copy me on the request. Kari will provide the information.

Want to set up an appointment to meet with Shay Shackle.

KARI McDERMOTT
CRIMINALIST I
St. Paul Police Department
367 Grove Street
St. Paul, MN 55101
651-266-5606
kari.mcdermott@ci.stpaul.mn.us

OBJECTIVE

Instructional and Expert Witness qualifications for Criminalist Kari McDermott

EDUCATION

Bachelor of Arts in Biology <i>University of Wisconsin – River Falls</i>	2000-2004 <i>River Falls, Wisconsin</i>
High School Diploma <i>Woodbury Senior High School</i>	1997-2000 <i>Woodbury, Minnesota</i>

EMPLOYMENT

Criminalist I <i>Crime Laboratory Unit</i> <i>Department of Police, City of Saint Paul</i>	August 2008 – Present <i>Saint Paul, Minnesota</i>
Technologist <i>Molecular Biology Lab</i> <i>ViroMed Laboratories</i>	Nov. 2004 – August 2008 <i>Minnetonka, Minnesota</i>

TRAINING

- November 9, 2011: *Interviewing/Courtroom Testimony*, Ramsey County Attorney's Office, St. Paul, MN
- August 29, 2011: *Requirements of Charging Felony Cases/Lessons Learned from Second Look*, Ramsey County Attorney's Office, St. Paul, MN
- April 4-8, 2011: *Technical Crash Investigation I*, sponsored by the Saint Paul Police Department Professional Development Institute, Saint Paul, MN
- March 3-4, 2011: *Courtroom Testimony Techniques "Success Instead of Survival"*, Ron Smith and Associates, Inc., sponsored by The International Association for Identification and Saint Paul Police Department, Saint Paul, MN
- December 2, 2010: *Prescription Drug Crimes*, sponsored by the Saint Paul Police Department Professional Development Institute, Saint Paul, MN
- August 5-7, 2010: *Forensic Firearm and Tool mark Identification with an Introduction to Daubert Issues*, Continuing Education for Forensic Professionals sponsored by the National Institute of Justice, Boston, MA

Exhibit B

- August 4, 2010: *Presumptive Test for Biological Evidence*, Continuing Education for Forensic Professionals sponsored by the National Institute of Justice, Boston, MA
- August 3, 2010: *Introduction to Fire Scene Investigations for Crime Scene Investigators*, Continuing Education for Forensic Professionals sponsored by the National Institute of Justice, Boston, MA
- August 2, 2010: *Forensic Dentistry in Mass Disasters*, Continuing Education for Forensic Professionals sponsored by the National Institute of Justice, Boston, MA
- March 24-26, 2010: *Essentials of Crime Scene Investigations Training Program*, sponsored by the National Institute of Justice, National Forensic Science Technology Center, and Ron Smith & Associates, Largo, FL
- February 1-5, 2010: *Forensic Biological Screening Workshop*, sponsored by the National Institute of Justice, National Forensic Science Technology Center, Largo, FL
- October, 2009-February 2010: CSI Certificate from Century College, White Bear Lake, MN
- April 28 – May 1, 2009: *Behind the Tape, Homicide & Crime Scene Management Training*, David A. Newman, sponsored St. Paul Police Department, Saint Paul, MN
- April 22, 2009: *Anatomy of Strangulation Training*, MN Sheriff's Assoc., Bloomington, MN
- January 5-16, 2009: *Police Photography*, FBI Academy, Quantico, VA
- September 18 – 19, 2008: MN Division of the International Association of Identification Annual Conference, hosted in the Twin Cities.
- August 2008 – Present: Trained on lab procedures and techniques under Sergeant Shay Shackel, Criminalist Kelly Herwin, and Criminalist Jennifer Jannetto of the Crime Laboratory Unit, Saint Paul Police Department.

ROBERTA DECRAINS
CRIMINALIST I

OBJECTIVE

Instructional and Expert Witness qualifications for Criminalist Roberta DeCrains

EMPLOYMENT

Job TITLE <i>Criminalist I</i> <i>Crime Laboratory Unit</i> <i>Department of Police, City of Saint Paul</i>	YEARS EMPLOYED <i>Aug. 2008 – Present</i> <i>Saint Paul, Minnesota</i>
Job TITLE <i>Screener</i> <i>Forensic Laboratory Unit</i> <i>MedTox Laboratory</i>	YEARS EMPLOYED <i>Aug. 2007 – Aug. 2008</i> <i>New Brighton, Minnesota</i>
Job TITLE <i>Forensic Intern</i> <i>Crime Laboratory Unit</i> <i>Department of Police, City of Saint Paul</i>	YEARS EMPLOYED <i>Jul. 2006 – Sept. 2006</i> <i>Saint Paul, Minnesota</i>

EDUCATION

BACHELOR OF SCIENCE IN CHEMISTRY, CRIMINALISTICS EMPHASIS MATHEMATICS MINOR <i>Bemidji State University</i>	YEARS ATTENDED <i>2003-2007</i> <i>Bemidji, Minnesota</i>
HIGH SCHOOL DIPLOMA <i>Nevis Public School</i>	GRADUATION JUNE 2003 <i>Nevis, Minnesota</i>

TRAINING

- March 12, 2012: *Chemical Spot Tests for Illicit Drugs*, Continuing & Professional Education Certificate Program through West Virginia University Extended Learning.
- November 9, 2011: *Court Room Testimony*, Ramsey County Attorney's Office and Saint Paul Police Department Professional Development Institute, Saint Paul, MN
- October 24, 2011: *Special Topics and New Trends in Forensic Drug Chemistry*, Jeremy Morris/ Bureau of Criminal Apprehension, Saint Paul, MN
- August 29, 2011: *Requirements of Charging felony cases: Lessons Learned from Second Look*, Ramsey County Attorney's Office and Saint Paul Police Department Professional Development Institute, Saint Paul, MN
- April 4-8, 2011: *Technical Crash Investigation I*, Saint Paul Police Department Professional Development Institute, Saint Paul, MN
- March 3 & 4, 2011: *Courtroom Testimony Techniques- Successes Instead of Survival*, Saint Paul Police Department Professional Development Institute, Saint Paul, MN
- December 2, 2010: *Prescription Drug Crimes*, Saint Paul Police Department Professional Development Institute, Saint Paul, MN

ROBERTA DECRANS
CRIMINALIST I

- October 18-22, 2010: *Blood Pattern Analysis*, Office of Chief Medical Examiner of the City of New York funded by National Institute of Justice, New York, NY
- August 7, 2010: *Testimony*, Continuing Education for Forensic Professionals sponsored by the National Institute of Justice, Boston, MA
- August 6, 2010: *Raman Spectroscopy*, Continuing Education for Forensic Professionals sponsored by the National Institute of Justice, Boston, MA
- August 4-5, 2010: *Mass Spectrometry: Drugs and Trace*, Continuing Education for Forensic Professionals sponsored by the National Institute of Justice, Boston, MA
- August 2-3, 2010: *Introduction to Drug Chemistry*, Continuing Education for Forensic Professionals sponsored by the National Institute of Justice, Boston, MA
- March 10-12, 2010: *Essentials of Crime Scene Investigations* Training Program, sponsored by the National Institute of Justice, National Forensic Science Technology Center, and Ron Smith & Associates, Largo, FL.
- January 11-15, 2010: *Forensic Biological Screening* Workshop, sponsored by the National Institute of Justice, Largo, FL.
- September 2009- January 2010: CSI Certificate from Century College, White Bear Lake, MN.
- June 2-4, 2009: *Interpretation of Mass Spectra*, Agilent Technologies, Santa Clara, CA.
- April 28-May 1, 2009: *Death Investigation* Training, sponsored by Inside the Tape, instructed by Investigator David A. Newman.
- February 23-March 6, 2009: *Latent Fingerprint Photography*, FBI Academy, Quantico, VA.
- 2009-Present: Member of the International Association of Identification.
- September 18, 2008-Present: Member of the MN Division of the International Association of Identification.
- September 18 - 19, 2008: MN Division of the International Association of Identification Annual Conference, hosted in the Twin Cities.
- August 2004-Present: Trained on lab procedures and techniques under Sergeant Shay Shackde, Criminalist Kim Meline, Criminalist Kelly Hervin, and Criminalist Jennifer Jannetto of the Crime Laboratory Unit, Saint Paul Police Department.

Request dated 4/5/11
#7

JENNIFER JANNETTO
CRIMINALIST II
St. Paul Police Department
367 Grove Street
St. Paul, MN 55101
651-266-5606
jennifer.jannetto@ci.stpaul.mn.us

OBJECTIVE

Instructional and Expert Witness qualifications for Criminalist Jennifer Jannetto

EDUCATION

Bachelor of Arts in Biology, Forensic Science Certificate <i>Hamline University</i>	2001-2005 <i>Saint Paul, Minnesota</i>
High School Diploma <i>Minnetonka Senior High School</i>	1997-2001 <i>Minnetonka, Minnesota</i>

EMPLOYMENT

Criminalist II <i>Crime Laboratory Unit</i> <i>Department of Police, City of Saint Paul</i>	Aug. 2008 – Present <i>Saint Paul, Minnesota</i>
Criminalist I <i>Crime Laboratory Unit</i> <i>Department of Police, City of Saint Paul</i>	Jan. 2007 – Aug. 2008 <i>Saint Paul, Minnesota</i>
Clinical Laboratory Technician II <i>Chromatography Lab (Drug Analysis)</i> <i>MedTox Laboratories</i>	Sept. 2005 – Dec. 2008 <i>New Brighton, Minnesota</i>
Property Clerk <i>Crime Laboratory Unit</i> <i>Department of Police, City of Saint Paul</i>	Feb. 2006 – Jan. 2007 <i>Saint Paul, Minnesota</i>
Forensic Intern <i>Crime Laboratory Unit</i> <i>Department of Police, City of Saint Paul</i>	Aug. 2004 – Feb. 2006 <i>Saint Paul, Minnesota</i>

Exhibit D

TRAINING

- March 27-30, 2012: *Introduction to Forensic Video Analysis*, Ocean Systems, Burtonsville, MD.
- September 15-16, 2011: *Introduction to Forensic Footwear Impression Evidence for the Non-Examiner*, Forensic Science Initiative through West Virginia University sponsored by the National Institute of Justice, Pittsburgh, PA.
- September 12-14, 2011: *Introduction to Forensic Firearm and Tool Mark Identification for the Non-Examiner*, Forensic Science Initiative through West Virginia University sponsored by the National Institute of Justice, Pittsburgh, PA.
- February 14-16, 2011: *Working, Controlling and Managing Major Cases*, SPPD Professional Development Institute, Sponsored by SPPD, St. Paul, MN
- January 12, 2011: *Grant Writing 101*, Saint Paul Police Professional Development Institute and MN Office of Justice Programs, Sponsored by SPPD, St. Paul, MN
- September 13-17, 2010: *Medicolegal Investigation of Death*, Forensic Sciences Training Program, Sponsored by the NIJ, Hosted by the OCME, New York, NY
- March 11, 2010: *Recovery of Digital Evidence & Managing Your Budget*, Continuing Education for Forensic Professionals sponsored by the National Institute of Justice, Fort Worth, TX
- March 10, 2010: *Perspectives in Expert Testimony*, Continuing Education for Forensic Professionals sponsored by the National Institute of Justice, Fort Worth, TX
- March 9, 2010: *Trace Overview for Crime Scene Personnel*, Continuing Education for Forensic Professionals sponsored by the National Institute of Justice, Fort Worth, TX
- March 8, 2010: *Transition to Leadership & Transitioning to Digital Media*, Continuing Education for Forensic Professionals sponsored by the National Institute of Justice, Fort Worth, TX
- July 21-23, 2009: *Basic Forensic Response to Missing and Abducted Children*, Department of Justice, Nashville, TN
- June 18-20, 2009: *Advanced Crime Scene*, Continuing Education for Forensic Professionals sponsored by the National Institute of Justice, Las Vegas, NV
- June 17, 2009: *Understanding Cyber Crime and Digital Forensics*, Continuing Education for Forensic Professionals sponsored by the National Institute of Justice, Las Vegas, NV
- June 15-16, 2009: *Advanced Forensic Photography*, Continuing Education for Forensic Professionals sponsored by the National Institute of Justice, Las Vegas, NV
- May 4 – 8, 2009: 37th Annual Crime Laboratory Development Symposium sponsored by the FBI and the Wisconsin School of Business, Madison, WI.
- April 28 – May 1, 2009: *Behind the Tape, Homicide & Crime Scene Management Training*, David A. Newman, sponsored St. Paul Police Department, Saint Paul, MN
- April 6 – 9, 2009: *Crime Scene Survey, Documentation and Reconstruction*, FBI Academy, Quantico, VA
- September 18 – 19, 2008: MN Division of the International Association of Identification Annual Conference, hosted in the Twin Cities.
- May 5 – 16, 2008: *Police Photography*, FBI Academy, Quantico, VA
- April 7 – 11, 2008: *Clandestine Laboratory Safety Certification Program*, NES – Sponsored by BCA, Saint Paul, MN
- March 13, 14, 2008: *Advanced Vehicle Contraband Concealment*, HITS Training - Sponsored by BCA, Saint Paul, MN
- January 6 – 18, 2008: *Latent Print Photography*, FBI Academy, Quantico, VA
- November 26 – 29, 2007: *Scientific Basics of Fingerprints*, FBI Academy, Pierre, SD
- November 13, 2007: *Death Investigation*, M.B. McGee, M.D. of Ramsey County Medical Examiners Office, sponsored by Nobles County Sheriffs Office, Worthington, MN
- October 9 – 11, 2007: *Advanced Palm Print Comparison Techniques*, Ron Smith & Associates, Inc. sponsored by Saint Paul Police Department, Saint Paul, MN
- August 1 – 3, 2007: *Biological Screening*, Continuing Education for Forensic Professionals sponsored by the National Institute of Justice, Morgantown, WV
- July 30 – 31, 2007: *Blood Stain Pattern Analysis*, Continuing Education for Forensic Professionals sponsored by the National Institute of Justice, Morgantown, WV

- June 4 – 15, 2007: *Digital Imaging of Evidentiary Photography*, FBI Academy, Quantico, VA
- April 16 – 18, 2007: *Video Training Program for Law Enforcement*, Sawabini & Associates, sponsored by BCA, Saint Paul, MN
- March 28 – 31, 2007: *Processing Latent Fingerprinting*, Continuing Education of Forensic Professionals sponsored by the National Institute of Justice, Orlando, FL.
- March 26 – 27, 2007: *Packaging Biological Evidence*, Continuing Education of Forensic Professionals sponsored by the National Institute of Justice, Orlando, FL.
- August 2004 – Present: Trained on lab procedures and techniques under Sergeant Shay Shackle, Criminalist Kim Meline, and Criminalist Kelly Herven of the Crime Laboratory Unit, Saint Paul Police Department.

Request dated 4/5/18
#7

Sergeant Shay Shackle
Saint Paul Police Department Crime Laboratory

OBJECTIVE

Instructional and Expert Witness qualifications for Sergeant Shay Shackle, P.O.S.T. #8198

EMPLOYMENT

JOB TITLE	YEARS EMPLOYED (FEB.2001-PRESENT)
<i>Sergeant, Crime Lab Director, Latent Print Examiner, Crime Scene Technician, Controlled Substance Analyst, assigned to Crime Laboratory Unit</i>	
<i>Department of Police, City of St. Paul</i>	<i>St. Paul, Minnesota</i>

JOB TITLE	YEARS EMPLOYED (JUN.1998 - FEB.2001)
<i>Police Officer, Latent Print Examiner, Crime Scene Technician, assigned to Crime Laboratory Unit</i>	
<i>Department of Police, City of St. Paul</i>	<i>St. Paul, Minnesota</i>

JOB TITLE	YEARS EMPLOYED (JAN.1997-JUN.1998)
<i>Police Officer, Narcotics Vault Manager, Crime Scene Technician, assigned to Property and Evidence Unit</i>	
<i>Department of Police, City of St. Paul</i>	<i>St. Paul, Minnesota</i>

JOB TITLE	YEARS EMPLOYED (OCT.1996-JAN.1997)
<i>Police Officer, assigned to the Patrol Unit, Central District, Desk Officer</i>	
<i>Department of Police, City of St. Paul</i>	<i>St. Paul, Minnesota</i>

JOB TITLE	YEARS EMPLOYED (JAN.1991-OCT.1996)
<i>Police Officer, Latent Print Examiner, Crime Scene Technician, assigned to Crime Laboratory Unit</i>	
<i>Department of Police, City of St. Paul</i>	<i>St. Paul, Minnesota</i>

JOB TITLE	YEARS EMPLOYED (JAN.1985- JAN.1991)
<i>Police Officer, Dispatcher, Field Training Officer, assigned to Emergency Communications Center</i>	
<i>Department of Police, City of St. Paul</i>	<i>St. Paul, Minnesota</i>

JOB TITLE	YEARS EMPLOYED (MAR.1983-JAN.1985)
<i>Police Officer, assigned to the Patrol Unit</i>	
<i>Department of Police, City of St. Paul</i>	<i>St. Paul, Minnesota</i>

EDUCATION

LAW ENFORCEMENT DEGREE.	YEARS ATTENDED (1979-1981)
<i>Normandale Community College</i>	<i>Bloomington, Minnesota</i>

GRADUATED WITH DIPLOMA	(1977)
<i>Brady High School</i>	<i>West St. Paul, Minnesota</i>

Exhibit E

TRAINING

- September 19-23, 2011: Tire Tread and Tire Track Evidence: Recovery and Examination, William J. Bodziak, Raleigh, NC
- April 4-8, 2011: Technical Crash Investigation I, SPPD Professional Development Institute, St. Paul, MN.
- November 1-5, 2010: Documentation and Examination of Footwear Impression Evidence, William J. Bodziak, Salt Lake City, Utah
- June 22-25, 2010: Practical Analysis and Reconstruction of Shooting Incidents, Edward E. Hueske, Northwestern University, Center for Public Safety, Evanston, IL
- October 18-23, 2009: Motorola Annual Users Group Educational Conference, Costa mesa, CA
- July 21-23, 2009: Basic Forensic Response to Missing and Abducted Children, Department of Justice, Nashville, TN
- June 15-20, 2009: Continuing Education for Forensic Professionals sponsored by the National Institute of Justice, Las Vegas, NV
- May 4 - 8, 2009: 37th Annual Crime Laboratory Development Symposium sponsored by the FBI and the Wisconsin School of Business, Madison, WI.
- October 19-24, 2008: Motorola Annual Users Group Educational Conference, Costa mesa, CA
- March 17-20, 2008: Advanced Forensic Techniques, National Institute of Justice, Alabama
- October 15-19, 2007: Printrak Annual Users Group Educational Conference, Costa mesa, CA
- March 28, 2007: Chemical Spot Test Course, National Institute of Justice, Orlando, FL
- March 26-27, 2007: Question Documents Course, National Institute of Justice, Orlando, FL
- October 1-6, 2006: Printrak Annual Users Group Educational Conference, Costa Mesa, CA
- November 13-18, 2005: Printrak Annual Users Group Educational Conference, Costa Mesa, CA
- FBI Crime Lab Directors Symposium August 15-19, 2005, Ann Arbor, MI
- MN Arson Investigation, March 30 - April 2, 2005, St. Cloud, MN
- October 10-15, 2004: Printrak Annual Users Group Educational Conference, Costa Mesa, CA
- May 3 and 5, 2004: Minnesota Incident Management System, Incident Command, St. Paul, MN
- August 19, 2003: Weapons of Mass Destruction Crime Scene Management, St. Paul, MN
- September 22-25, 2003: FBI Laboratory Symposium of Crime Lab Directors, Brooklyn Center, MN
- September 22-25, 2002: FBI Laboratory Symposium of Crime Lab Directors, St. Louis, MO
- May 16, 23, 30, June 6, 13, 2002: First Line Supervisor's Training: St. Paul, MN
- April 22-26, 2002, Minnesota BCA Bloodstain Pattern Analysis Workshop, New Brighton, MN
- April 14-19, 2002: Printrak Annual Users Group Educational Conference, Costa Mesa, CA
- October 15-26, 2001: Combined Advance Ridgeology, Demystifying Palm Prints, and Comparison Techniques, Arlington, TX.
- July 30 - August 17, 2001: Administrative Advanced Latent Fingerprint Course, FBI Academy, Quantico, VA.
- April 9-13, 2001: Supervision of Police Personnel, Brooklyn Center, MN
- March 28, 2001: Basic Investigation and Search Warrants, St. Paul, MN
- February, 2001 - May, 2001: Controlled Substance Analysis Training, St. Paul, MN
- September 21-22, 2000: Minnesota Division I.A.I. Educational Conference, Duluth, MN
- October 4-8, 1999: Printrak Annual Users Group Educational Conference, Anaheim, CA
- October 13, 1998: Death Investigations, White Bear Lake, MN
- September 19-20, 1996: Minnesota Division I.A.I. Educational Conference, Alexandria, MN
- September 28-29, 1995: Minnesota Division I.A.I. Educational Conference, Duluth, MN
- September 15-16, 1994: Minnesota Division I.A.I. Educational Conference, Red Wing, MN
- May 16-17, 1994: Crime Scene Low Light Photography, St. Paul, MN
- September 15-16, 1993: Minnesota Division I.A.I. Educational Conference, Duluth, MN
- August 24, 1993: Polaroid Law Enforcement Imaging, Burnsville, MN
- April 29- May 3, 1993: FBI Advanced Fingerprint Comparison Course, Shoreview, MN
- September 10-11, 1992: Minnesota Division I.A.I. Educational Conference, Winona, MN
- April 30-May 4, 1992: FBI Basic Henry Classification Course, Shoreview, MN
- February 6-10, 1992: Advanced Crime Scene Techniques, Jacksonville, FL
- September 12-13, 1991: Minnesota Division I.A.I. Educational Conference, Willmar, MN
- May 6-9, 1991: Practical Homicide Investigation, St. Paul, MN

- September 24, 1990: Explosives and Clandestine Drug Labs, St. Paul, MN
- Ongoing training from 1991-1996, provided by Sgt. Donald Hanson, Former Latent Print Examiner, St. Paul Police Crime Laboratory, and Sgt. Colleen Luna, Latent Print Examiner, St. Paul Police Crime Laboratory.
- Ongoing training from 1998-2000, provided by Commander Colleen Luna, former Director, St. Paul Police Crime Laboratory, and Sgt. Michael Schwab, former Director, St. Paul Police Crime Laboratory.
- November, 1982 - March, 1983: Police Academy, St. Paul, MN

Traub, Lauri M.

From: Grannis, Chip <Chip.Grannis@CO.DAKOTA.MN.US>
Sent: Sunday, April 29, 2012 6:01 PM
To: Traub, Lauri M.; 'lauri.traub@state.mn.us'; Funk, Christine; 'christine.funk@state.mn.us';
Phill, Patricia; 'Phill, Patricia (Patricia.Phill@state.mn.us)'
Cc: Offermann, Ann; Golden, Kevin; Hersey, Scott
Subject: FW: Follow-up

From: Jennifer Jannetto [<mailto:Jennifer.Jannetto@ci.stpaul.mn.us>]
Sent: Friday, April 27, 2012 2:20 PM
To: Geg Pye; Kathy Wuorinen; Grannis, Chip; Prokopowicz, Phil
Cc: Geg Gravesen; Shay Shackie
Subject: Follow-up

Chip,

Below is a clarification of points made during our conversation on Tuesday. Please forward to Lauri Traub.

The purpose of a validation study is to determine if your test is working properly and is obtaining the desired results. They are usually performed when there is a change in a procedure or method, or in some cases a whole new method or instrument is being implemented, or if instrumentation is coming back from repair. Validation studies are more common when the quantity/purity of a substance is measured. The SPPD Crime Lab does not perform quantitative testing. Based on Minnesota State Law, it is only necessary to confirm that the substance is present. Validation of the instruments and methods used by SPPD Crime Lab are performed when a standard is run and desired results are obtained. Standards are run after maintenance or troubleshooting is performed on the instrumentation.

The instrumental method used by SPPD Crime Lab sets certain parameters on the GC/MS. The GC/MS will not run if these parameters are not met. Essentially, if the instrument is not functioning properly, most likely the sample will not be processed and we will troubleshoot. If the test is completed, each Criminalist is trained to interpret results and recognize when an error occurs. For example, the Criminalist may notice the resultant chromatogram has no peaks at all and/or an unusual baseline. In this case, we would run a standard after to ensure, or validate, that it is working correctly. Our procedure is then to re-run the evidentiary sample. It is important to note, if the instrumentation is not working properly, the Criminalist is much more likely to receive no signal at all, or a false negative, than a false positive.

SWG DRUG's methods and procedures are a recommendation, not an exact SOP designed for a laboratory. No Crime Lab is required to follow their suggested guidelines. The SPPD Crime Lab does follow the SWG DRUG recommendations to validate equipment and methods for the analysis of suspected controlled substances by running standards. We are confident, based on our experience in analytical testing, that the validation of the GC/MS method employed conclusively analyzes most controlled substances.

Also, here are responses to a few of the other items we discussed in the meeting Wednesday.

Exhibit F¹

Trials Dates - While the week of July 23rd worked for me, it turns out three of the eight from lab appear to be on vacation (including DeCrans and McDermott). Are there any other dates that we can discuss?

Policies and Procedures - I have been directed to forward any and all policy and procedure questions, relating to members of the lab meeting with the defense, to our Assistant Chief Kathy Wuorinen. She can be reached at 651-266-5545.

Defense questions to the lab that are unclear - I will mostly likely have an answer on this on Monday April 30th.

Just a reminder - I'm out of the office May 1st to the 9th.

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